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10/029,765	10/22/2001	William O'Donnell	16319-05907	4715

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EXAMINER

POPHAM, JEFFREY D

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/029,765

Applicant(s)

O'DONNELL ET AL.

Examiner

Jeffrey D. Popham

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-62 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-62 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 20020227, 20030121.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Art Unit: 2137

Remarks

Claims 1-62 are pending.

Oath/Declaration

1. It does not identify the mailing address of each inventor. A mailing address is an address at which an inventor customarily receives his or her mail and may be either a home or business address. The mailing address should include the ZIP Code designation. The mailing address may be provided in an application data sheet or a supplemental oath or declaration. See 37 CFR 1.63(c) and 37 CFR 1.76.

Claim Objections

2. Claims 11 and 37 are objected to under 37 CFR 1.75(a) because of the following informalities:

- Claim 11, lines 2-3 recite the limitation "the level of access available to the first user". There is insufficient antecedent basis for this limitation in the claims. For purposes of prior art rejection, it has been construed as "a level of access available to the first user".
- Claim 37, lines 4-5; and claim 51, lines 5-6 recite the limitations "the first user's authentication credential" and "the second user's authentication credential". There is insufficient antecedent basis for these limitations in the claim. For purposes of prior art rejection, they have been construed as "an authentication credential associated with the first user" and "an authentication credential associated with the second user".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 5-8, 10-16, 18-20, 23-29, 31-40, 43-47, and 49-61 are rejected under 35 U.S.C. 102(e) as being anticipated by Brickell (U.S. Patent Application Publication 2002/0147917).

Regarding Claim 1,

Brickell discloses a computer-implemented method for managing access to a resource, comprising:

Receiving, from a first user having an authentication credential with respect to the resource, a message that a second user be granted access to the resource (Page 2, Paragraphs 18 and 19);

Receiving, from the second user, a request to access the resource (Page 2, Paragraph 22); and

Responsive to the request from the second user, obtaining the first user's authentication credential and granting the second user access to

the resource by providing the first user's authentication credential to the resource (Page 2, Paragraph 22).

Regarding Claim 54,

Claim 54 is a computer program product claim that corresponds to method claim 1 and is rejected for the same reasons.

Regarding Claim 2,

Brickell discloses that granting the second user access comprises activating a temporary access credential for the second user (Pages 2-3, Paragraph 30).

Regarding Claim 55,

Claim 55 is a computer program product claim that corresponds to method claim 2 and is rejected for the same reasons.

Regarding Claim 3,

Brickell discloses that granting the second user access comprises creating an entity relationship between an account associated with the second user and an account associated with the first user (Page 2, Paragraph 22).

Regarding Claim 56,

Claim 56 is a computer program product claim that corresponds to method claim 3 and is rejected for the same reasons.

Regarding Claim 5,

Brickell discloses that the message identifies the second user and specifies a level of access for the second user, and wherein granting the second user access comprises granting the specified level of access (Page 2, Paragraph 22).

Regarding Claim 6,

Brickell discloses that the second user belongs to a group of users, and the message identifies the group of users to which the second user belongs (Page 3, Paragraph 33). The first user sends out one key to a group of users, so a user from this group would be identified as belonging to this group by the key he uses.

Regarding Claim 7,

Brickell discloses receiving an identifier from the second user, identifying the second user as belonging to the group of users (Page 2, Paragraph 22; and Page 3, Paragraph 33).

Regarding Claim 8,

Brickell discloses authenticating the second user as belonging to the group of users (Page 2, Paragraph 22; and Page 3, Paragraph 33).

Regarding Claim 10,

Brickell discloses authenticating the second user (Page 2, Paragraph 22);

And wherein granting the second user access to the resource comprises:

Responsive to the request from the second user and responsive to the authentication of the second user being successful, granting the second user access to the resource by providing the first user's authentication credential to the resource (Page 2, Paragraph 22).

Regarding Claim 57,

Claim 57 is a computer program product claim that corresponds to method claim 10 and is rejected for the same reasons.

Regarding Claim 11,

Brickell discloses that granting the second user access to the resource comprises granting the second user a level of access different from a level of access available to the first user (Page 3, Paragraph 32).

Regarding Claim 12,

Brickell discloses that receiving the message comprises receiving the message via a network (Page 2, Paragraph 18).

Regarding Claim 13,

Brickell discloses that receiving the request comprises receiving the request via the network (Page 2, Paragraph 22).

Regarding Claim 14,

Brickell discloses that receiving the request comprises receiving the request via a second network (Page 1, Paragraph 7). This would be the case if the Internet is the communications network, since the Internet is a network of networks.

Regarding Claim 15,

Brickell discloses storing in an audit log information describing the second user's access to the resource and identifying the second user in connection with the access (Page 2, Paragraph 22).

Regarding Claim 16,

Brickell discloses a computer-implemented method for managing levels of access to a resource for at least two users, comprising:

Establishing a control relationship between a first user's authentication credential and a second user's authentication credential, the control relationship allowing the first user to specify at least one parameter of the second user's level of access to the resource (Page 2, Paragraphs 18 and 19);

Receiving, from the second user, a request to access the resource (Page 2, Paragraph 22); and

Responsive to the request from the second user, granting the second user access to the resource according to the second user's level of access as specified by the first user (Page 2, Paragraph 22).

Regarding Claim 58,

Claim 58 is a computer program product claim that corresponds to method claim 16 and is rejected for the same reasons.

Regarding Claim 18,

Brickell discloses terminating the second user's access to the resource (Page 2, Paragraph 29).

Regarding Claim 19,

Brickell discloses terminating the second user's access to the resource after a predetermined time period (Page 2, Paragraph 29).

Regarding Claim 20,

Brickell discloses that the predetermined time period is selectable by the first user (Pages 2-3, Paragraphs 29 and 30).

Regarding Claim 23,

Brickell discloses terminating the second user's access to the resource in response to a command received from the first user (Pages 2-3, Paragraph 30).

Regarding Claim 24,

Brickell discloses terminating the second user's access to the resource in response to a predetermined event (Pages 2-3, Paragraph 30).

Regarding Claim 25,

Brickell discloses responsive to granting the second user access, outputting, to the first user, notification of the second user's access to the resource (Page 2, Paragraph 22).

Regarding Claim 26,

Brickell discloses responsive to granting the second user access, storing information describing the second user's access to the resource (Page 2, Paragraph 22).

Regarding Claim 59,

Claim 59 is a computer program product claim that corresponds to method claim 26 and is rejected for the same reasons.

Regarding Claim 27,

Brickell discloses that storing information comprises storing the information in an audit log (Page 2, Paragraph 22).

Regarding Claim 28,

Brickell discloses storing information describing at least one subsequent interaction with the resource (Page 2, Paragraph 22).

Regarding Claim 60,

Claim 60 is a computer program product claim that corresponds to method claim 28 and is rejected for the same reasons.

Regarding Claim 29,

Brickell discloses that storing information comprises, for each interaction, storing information identifying which user accesses the resource (Page 2, Paragraph 22).

Regarding Claim 61,

Claim 61 is a computer program product claim that corresponds to method claim 29 and is rejected for the same reasons.

Regarding Claim 31,

Brickell discloses that the first user's level of access is different from the second user's level of access (Page 3, Paragraph 32).

Regarding Claim 32,

Brickell discloses that the resource comprises at least one selected from the group consisting of a data file, a data file stored at a server, an application, and data associated with the first user (Page 3, Paragraphs 36 and 37).

Regarding Claim 33,

Brickell discloses that the steps of the method are performed by a web-based application (Page 1, Paragraph 8).

Regarding Claim 34,

Brickell discloses a system for granting access to a second user in response to a message from a first user, comprising:

An authenticator communicatively adapted to receive over a network connection authentication credentials of the first and second users and adapted to authenticate each user from the authentication credentials (Page 2, Paragraph 22);

An access level control module, communicatively coupled to the authenticator, for defining for each user a level of access to a resource for the user (Page 2, Paragraphs 18 and 19); and

A resource interface, communicatively coupled to the access level control module, for granting the second user access to the resource by providing the first user's authentication credential to the authenticator for authentication (Page 2, Paragraph 22).

Regarding Claim 35,

Brickell discloses that the access level control module activates a temporary access credential for the second user (Pages 2-3, Paragraph 30).

Regarding Claim 36,

Brickell discloses that the access level control module creates an entity relationship between an account associated with the second user and an account associated with the first user (Page 2, Paragraphs 18 and 19).

Regarding Claim 37,

Brickell discloses a system for granting resource access to a second user in response to a message from a first user, comprising:

An access level control module, for establishing a control relationship between an authentication credential associated with the first user and an authentication credential associated with the second user, the control relationship allowing the first user to control at least one parameter of the second user's level of access (Page 2, Paragraphs 18 and 19);

A resource interface, coupled to the access level control module, for granting the second user access to the resource according to the second user's level of access, by providing the first user's authentication credential to the resource (Page 2, Paragraph 22).

Regarding Claim 38,

Brickell discloses that the resource interface further terminates the second user's access to the resource (Page 2, Paragraph 29).

Regarding Claim 39,

Brickell discloses that the resource interface further terminates the second user's access to the resource after a predetermined time period (Page 2, Paragraph 29).

Regarding Claim 40,

Brickell discloses that the predetermined time period is selectable by the first user (Pages 2-3, Paragraph 29 and 30).

Regarding Claim 43,

Brickell discloses that the resource interface further terminates the second user's access to the resource in response to a command received from the first user (Pages 2-3, Paragraph 30).

Regarding Claim 44,

Brickell discloses that the resource interface further terminates the second user's access to the resource in response to a predetermined event (Pages 2-3, Paragraph 30).

Regarding Claim 45,

Brickell discloses an output device, coupled to the resource interface, for outputting, to the first user, notification of the second user's access to the resource (Page 2, Paragraph 22).

Regarding Claim 46,

Brickell discloses a storage device, coupled to the resource interface, for storing information describing the second user's access to the resource (Page 2, Paragraph 22).

Regarding Claim 47,

Brickell discloses that the storage device stores information identifying which user accesses the resource (Page 2, Paragraph 22).

Regarding Claim 49,

Brickell discloses that the resource comprises at least one selected from the group consisting of a data file, a data file stored at a server, an application, and data associated with the first user (Page 3, Paragraphs 36 and 37).

Regarding Claim 50,

Brickell discloses a server comprising:

An authenticator, for authenticating each user according to authentication credentials (Page 2, Paragraph 22).

An access level control module, coupled to the authenticator, for defining a level of access to the resource for each user (Page 2, Paragraphs 18 and 19); and

A resource interface, coupled to the access level control module, for granting to a client operated by the second user access to the resource by providing the first user's authentication credential to the resource (Page 2, Paragraph 22).

Regarding Claim 51,

Brickell discloses a server comprising:

An access level control module, for establishing a control relationship between an authentication credential associated with the first user and an authentication credential associated with the second user, the control relationship allowing the first user to control at least one parameter of the second user's level of access (Page 2, Paragraphs 18 and 19); and

A resource interface, coupled to the access level control module, for granting to the client operated by the second user access to the resource according to the second user's level of access, by providing the first user's authentication credential to the resource (Page 2, Paragraph 22).

Regarding Claim 52,

Brickell discloses a client comprising:

An input device, for receiving input from a first user specifying that a second user be granted access to the resource (Page 2, Paragraphs 18 and 19; and Pages 3-4, Paragraph 39); and

An output device, for transmitting the received input to the access level control module to grant to the second user the access to the resource (Page 2, Paragraphs 18 and 19; and Pages 3-4, Paragraph 39).

Regarding Claim 53,

Brickell discloses a client comprising:

An input device, for receiving input from a first user specifying that a second user be granted access to the resource and for receiving input from the first user specifying at least one parameter of the second user's level of access (Page 2, Paragraphs 18 and 19; and Pages 3-4, Paragraph 39); and

An output device, for transmitting the received input to the access level control module to grant to the second user the access to the resource (Page 2, Paragraphs 18 and 19; and Pages 3-4, Paragraph 39).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 9, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brickell in view of Control-F1 (Control-F1, "Control-F1 Launches CF1Live 'Branded, Hosted, Rented' eSupport Solution", 7/6/2000, pp. 1, obtained from http://web.archive.org/web/20001121025300/www.control-f1.com/news/pr_cf1livelaunch.html).

Regarding Claim 4,

Brickell does not disclose that the account associated with the second user comprises a support representative account.

Control-F1, however, discloses that the account associated with the second user comprises a support representative account (Page 1). It would have been obvious to incorporate the remotely controlled technical support system of Control-F1 into the remote access system of Brickell in order to allow a support representative to diagnose and fix problems on a user's machine remotely, while the user can go about his normal work, increasing productivity and decreasing support costs.

Regarding Claim 9,

Brickell does not disclose that the group comprises support representatives.

Control-F1, however, discloses that the group comprises support representatives (Page 1). It would have been obvious to incorporate the remotely controlled technical support system of Control-F1 into the remote access system of Brickell in order to allow a support representative to

Art Unit: 2137

diagnose and fix problems on a user's machine remotely, while the user can go about his normal work, increasing productivity and decreasing support costs.

Regarding Claim 17,

Brickell does not disclose that the second user is a support representative.

Control-F1, however, discloses that the second user is a support representative (Page 1). It would have been obvious to incorporate the remotely controlled technical support system of Control-F1 into the remote access system of Brickell in order to allow a support representative to diagnose and fix problems on a user's machine remotely, while the user can go about his normal work, increasing productivity and decreasing support costs.

5. Claims 21, 22, 41, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brickell in view of Onishi et al. (U.S. Patent Application Publication 2003/0149667).

Regarding Claim 21,

Brickell does not disclose terminating the second user's access to the resource after the second user has accessed the resource a predetermined number of times.

Onishi et al., however, disclose terminating the second user's access to the resource after the second user has accessed the resource a predetermined number of times (Page 2, Paragraphs 21 and 22). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the usage counter of Onishi et al. into the remote access system of Brickell in order to allow for a pay-per-view type of system in which the second user must pay the first user for a preset number of accesses to the resource.

Regarding Claim 22,

Onishi et al. disclose that the predetermined number of times is selectable by the first user (Page 2, Paragraphs 21 and 22).

Regarding Claim 41,

Brickell does not disclose that the resource interface further terminates the second user's access to the resource after the second user has accessed the resource a predetermined number of times.

Onishi et al., however, disclose that the resource interface further terminates the second user's access to the resource after the second user has accessed the resource a predetermined number of times (Page 2, Paragraphs 21 and 22). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the usage counter of Onishi et al. into the remote access system of Brickell in order

Art Unit: 2137

to allow for a pay-per-view type of system in which the second user must pay the first user for a preset number of accesses to the resource.

Regarding Claim 42,

Onishi et al. disclose that the predetermined number of times is selectable by the first user (Page 2, Paragraphs 21 and 22).

6. Claims 30, 48, and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brickell in view of Chow et al. (U.S. Patent Application Publication 2002/0002678).

Regarding Claim 30,

Brickell does not disclose that the access to the resource by the second user is masked so that the resource is unable to distinguish it from access by the first user.

Chow et al., however, disclose that the access to the resource by the second user is masked so that the resource is unable to distinguish it from access by the first user (Page 1, Paragraph 14). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the password sharing scheme of Chow et al. into the remote access system of Brickell in order to give the first user the ability to delegate access to a second user but not have the ability to remove this access.

Regarding Claim 62,

Claim 62 is a computer program product claim that corresponds to method claim 30 and is rejected for the same reasons.

Regarding Claim 48,

Brickell does not disclose that the access to the resource by the second user is masked so that the resource is unable to distinguish it from access by the first user.

Chow et al., however, disclose that the access to the resource by the second user is masked so that the resource is unable to distinguish it from access by the first user (Page 1, Paragraph 14). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the password sharing scheme of Chow et al. into the remote access system of Brickell in order to give the first user the ability to delegate access to a second user but not have the ability to remove this access.

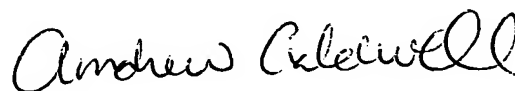
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey D. Popham whose telephone number is (571)-272-7215. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2137

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, reading "Andrew Caldwell". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER